



POLICIES AND PROCEDURES NEW JERSEY EARLY INTERVENTION SYSTEM

Date: September 2009

No.: NJEIS-08	Subject: No Provider Available
Effective Date: September 17, 2009	Category: Provider Agencies/Practitioners
Review Date: October 1, 2011	Responsible Party: Part C Coordinator

I. Purpose

To implement a uniform process when there is no practitioner available (NPA) identified to meet the needs of the child/family.

II. Policy

- A. Every effort must be made to locate a provider agency and practitioner to meet the needs of the child/family in the New Jersey Early Intervention System (NJEIS);
- B. If there is no available provider/practitioner to meet the identified needs of the child/family, the Service Coordinator shall either arrange for the child/family to:
 1. Receive services from a provider agency under a letter of agreement with the NJEIS, at a location that is not a “natural environment” as defined in the Individuals with Disabilities Education Act (IDEA), Part C at 34 CFR 303.18; or
 2. Receive reimbursement for accessing a private provider consistent with the contracted rates the NJEIS pays to provider agencies under letters of agreement with the NJEIS.
- C. If a provider agency/practitioner is available to meet the identified needs of the child/family but the parent declines (does not want the provider agency and/or practitioner), then such action shall constitute the parent’s declination of service(s); and
- D. Parents who decline services from an available provider agency/practitioner shall not be entitled to missed services, reimbursement for expenses related to privately accessed services, or any other form of compensation or recovery connected with the refusal of services.

III. Procedure

A. Selection of “No Provider Available” only after the following efforts have been made:

1. Service must be listed on the IFSP.
2. Alternative services must be offered on an interim basis to ensure that the child is receiving services while a practitioner within the specific discipline that is needed is located. Refer to NJEIS policy #3 for procedures.
3. The Service Coordinator checks with all possible EIP provider agencies (Comprehensives first, then Service Vendors) in the county and adjacent counties.
4. The Service Coordinator discusses with the family of temporarily taking the child to a participating EIP provider’s location. If services can be provided temporarily at the EIP location, the justification for the use of these temporary services would be that no provider is available to provide services within the “natural environment.” Service Coordinators must continue assisting the parent(s) with locating a provider and practitioner who will render services in the “natural environment” throughout the NPA process.
5. The Service Coordinator must meet with the family to complete the IFSP Service Review Page if the parent(s) agree to temporarily take the child to a provider’s location. The IFSP Service Review Page must include:
 - (a) Location;
 - (b) Non-natural environment justification;
 - (c) The projected start and end dates for the temporary services;
 - (d) A team page that provides parental consent for the change in the IFSP signed by all parties and dated.

B. “No Provider Available” process:

1. The Service Coordinator must within a reasonable time frame not to exceed thirty (30) days, contact the REIC in writing (which may include email) of the NPA if no participating EIP is able to provide services either in natural environments or in its office/center.
2. The REIC reviews the Service Coordinator’s NPA notice and as appropriate without delay, submits the attached NPA Notification Form to the Procedural Safeguards Office (PSO).
3. The PSO generates the No Provider Available (NPA) letter notifying the parent(s) about the option of temporarily accessing services through a private provider and receiving reimbursement consistent with NJEIS rates paid to participating provider agencies. Copies of the NPA letter are forwarded to the REIC and Service Coordinator.
4. The PSO remains available to assist families throughout the NPA process.
5. The Service Coordinator must notify the family immediately regarding a newly available EIP agency/practitioner and inform them that services with the private

- provider and/or center-based services should stop once a participating EIP is located and identified as available.
6. The Service Coordinator must meet with the family to complete the IFSP Service Review Page. The Service Review Page must include the:
 - (a) Location;
 - (b) Projected start and end dates for the services; and
 - (c) Team page that provides parental consent for the change in the IFSP signed by all parties and dated.
 7. The Service Coordinator should have the family select the decline option on the IFSP Service or Service Update Page noting the reason for the decline when a participating EIP provider has been identified as available to meet the IFSP needs of the child/family, but the parent declines to use the EIP provider. If the parent refuses to sign the appropriate IFSP page, the Service Coordinator should document in case notes that the parent refused services and the reason for the refusal.
 8. The Service Coordinator must then write a letter informing the family that:
 - (a) Refusal to accept services from an available EIP provider/practitioner will be considered a decline of services; and
 - (b) Services provided at public expense remain available to the child/family including service coordination; evaluation/assessment; IFSP review and development; and procedural safeguards.

C. Reasons for selecting “No Provider Available” (NPA)

1. No provider/practitioner in area-Use this reason when no providers are listed on the matrix for that area, and all potential providers/practitioners in adjacent counties or within a reasonable distance have been contacted with no providers willing to meet the child/family’s needs.
2. Provider/Practitioner(s) are not accepting new NJEIS children-Use this reason when providers in the area or adjacent areas are not accepting new NJEIS children
3. Provider/Practitioner(s) available, but provider and parent not willing to travel-Use this reason when:
 - (a) The IFSP team determines that services should be provided in the natural environment but no provider in the service area is available and
 - (b) All available provider agencies in adjacent counties are unwilling to travel to the natural environment and the family cannot or will not travel to the provider.

D. Service Coordinator responsibilities in the “No Provider Available” (NPA) process:

1. The Service Coordinator has the responsibility to assist parent(s) in locating a provider/practitioner to satisfy the child/family’s needs. This responsibility continues until an EIP provider is found and is especially vital when a child/family is receiving temporary services from a private provider.

2. Service Coordinators must expedite the search for a suitable and available EIP provider when a private provider is involved.
3. Service Coordinator/REIC must ALWAYS document all contacts with provider agencies/practitioners including dates, form of contact and notation of whether a message was left, along with the nature of the discussion/message.
4. The Service Coordinator must document all reasons provided by the provider agencies/practitioners for declining an assignment with a child/family.
5. Service Coordinators must monitor all services resulting from NPA and arrange for ongoing assessments and periodic reviews.
6. Service Coordinators must ensure that a complete review of all outcomes and services is conducted and, as needed, arrange prior to a periodic review, an assessment and participation by an appropriate practitioner when no practitioner has been available.
7. If/when a provider agency/practitioner becomes available, the Service Coordinator will notify the REIC and the database entry of "NPA" should be changed to reflect the actual provider agency/practitioner that has become available to meet the identified needs of the child/family.
8. The Service Coordination Unit (SCU) must complete the PSO "NPA" Update Form upon receipt from the PSO and return it immediately to the PSO with a copy to the REIC.

E. REIC Responsibilities:

1. An NPA practitioner is available in SPOE for each specialty where applicable and is visible via Practitioner Inquiry. These practitioners have a First Name of NPA and a Last Name of the Specialty (e.g. NPA Physical Therapist).
2. The REIC selects these practitioners in the same way they select any other practitioner within the SPOE software.
3. The REIC is responsible for tracking NPA services, providing technical assistance to the county and working with the state to identify additional resources.
4. The start date for services to be delivered by the provider agency/practitioner that has become available must be entered into the database by REIC staff to ensure that the provider agency/practitioner's claims for rendered services are processed and paid timely.

Related Policies/Procedures

NJEIS-14 Early Intervention Missed Services Policy